

Response

A. Introduction

Claims 30-37 were pending prior to entry of the preceding amendments, and *claims 30-38* are pending now. After initially indicating allowability of independent method claim 30, the Examiner issued a new rejection of claims 30-35 and 37, contending they are anticipated by or obvious in view of U.S. Patent Application Publication No. 2009/0266226 of Beach, et al. According to the Examiner, the Beach publication discloses nets that strangulate nose cones of rocket propelled grenades (RPGs). See Office Action at pp. 2-3. The Examiner additionally objected to claim 30 as including a phrase lacking antecedent basis.

B. The Objection

Applicant does not concede antecedent basis is lacking for any phrase appearing in independent claim 30. Nevertheless, to clarify the claim, Applicant has adopted the Examiner's suggestion for the first appearance of the phrase "nose cone." For consistency, Applicant has done the same for the first appearance of the phrase "rocket propelled grenade" following the preamble. Applicant believes these clarifications resolve the Examiner's objection to claim 30 and request that the objection be withdrawn.

C. The Beach Publication

Disclosed in the Beach publication are nets 2 and 1206. Referenced as "explosive" and "detonation" nets, each net comprises multiple "individual *explosive* elements." See Beach, p. 4, ¶¶ 0071, 0075-0076, and 0088 ("explosive net 2"; "Primacord elements 2a, 2b and 2c"; "[e]xplosive elements 2a, 2b and 2c";

“detonation net 1206 fabricated with primacord”). When an incoming RPG engages the net, the net *explodes* to create “explosive overpressure” so as to short internal electronic circuitry of the RPG. See id., ¶ 0071.

By contrast, *Applicant’s invention employs a passive net of plastic fibres to deform, and thereby disable, a nose cone of an RPG*. Accordingly, unlike the systems of the Beach publication, *no dangerously explosive elements need be used* to form the net of Applicant’s invention. This avoidance of explosive net elements by Applicant’s invention may be especially advantageous when protection of human personnel is desired, as the Beach publication contemplates placing the explosive elements of its net as close as five inches from a personnel vehicle. See id., ¶ 0055. Applicant’s avoidance of explosive net elements additionally makes it both cheaper to manufacture and more reliable, as no reliance on sensors and computational equipment is required.

Moreover, no suggestion exists to modify the nets of the Beach publication to omit the explosive elements. Indeed, omitting the explosive elements would *destroy* the functionality of those nets, as *only their act of exploding* accomplishes the objective of disabling the RPG (whether by explosively “crushing,” “penetrat[ing],” or “shearing” *ogive* 3b). See id., ¶ 0071. Switching to the plastic fibres of Applicant’s claim 30, therefore, would be wholly contrary to the teachings of the Beach publication and thus not obvious to one skilled in the appropriate art. For at least these reasons, therefore, Applicant requests that the pending claims be allowed.

Conclusion

Applicant requests that the Examiner allow claims 30-38 and that a patent containing these claims issue in due course.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dean W. Russell".

OF COUNSEL:

Kilpatrick Stockton LLP
1100 Peachtree Street
Suite 2800
Atlanta, Georgia 30309
(404) 815-6528

Dean W. Russell
Reg. No. 33,452
Attorney for the Assignee